

**ARIZONA PEACE OFFICER STANDARDS AND TRAINING BOARD
MINUTES OF MEETING HELD JANUARY 21, 2004
PHOENIX, AZ**

A public meeting of the Arizona Peace Officer Standards and Training Board was convened on January 21, 2004, at AZ POST, located at 2643 E. University Drive, Phoenix, AZ.

Members Present:

- Chairman Jim Garcia
- Ms. Laura Reckart, representing Attorney General Terry Goddard
- Ms. Lisa Flores
- Sergeant Gary Eisenga
- Chief Harold Hurtt
- Chief Jerry Sheridan
- Assistant Director Rod Covey, representing Director Dennis Garrett
- Sheriff Gary Butler
- Mr. Robert Forry, representing Director Dora Schriro
- Dr. Michael Polakowski
- Chief Joe Vernier

Members Absent:

- Sheriff Clarence Dupnik
- Deputy Tamatha Villar

Staff in Attendance:

- Tom Hammarstrom
- Lyle Mann
- Gary Maschner
- Ted Brandon
- Steve Jacobs
- Curt Milam
- Marie Dryer
- Sgt. Rick Watling
- Sgt. Jim DeLung
- Carol Muskus
- Lois Sherlock

Counsel for Board in Attendance:

- Diana Stabler, Asst. A.G.

Guest Roster:

- Scott Mascher, YCSO/NARTA
- Terry Parish, SALETC

John Hallahan, ADC/COTA
Jefferson Taylor
Rick Colwell, Yuma P.D.
Cesar Fazz, Yuma P.D.
Mike Erfert, Yuma P.D.
Eric Hailey, ALEA
Bill Richards, SALETC
Jan Madeya, ACIP
Ric Athey, MVD
Chuck Erickson, CAP
Rich Kush, AZRCPI/Tempe P. D.
Ed Cibbarelli, CAC

A. CALL TO ORDER

Chairman Garcia called the meeting to order at 1:33 p.m.

B. INTRODUCTIONS

No introductions were made.

C. CONSENT AGENDA

Approved unanimously, motion made by Sheriff Butler, seconded by Dr. Polakowski.

1. Minutes of the meeting held on November 19, 2003, were approved as written.
2. Minutes of the Charging Board meeting held on November 19, 2003, were approved as written.
3. Minutes of the Charging Board held on December 17, 2003, were approved as written.
4. The next scheduled Regular Meeting is Wednesday, March 17, 2004, at 1:30 p.m. at the Windemere Hotel, located at 2047 S. Highway 92, Sierra Vista, AZ.
5. Ministerial Actions:
 - a. Certification Waivers: The following individual(s) have met the requirements set forth in AZ POST Rule R13-4-110 and have successfully completed the testing process and verification by AZ POST staff. Therefore, upon Board direction, certified peace officer status has been granted to:

Todd M. Bentley
William J. Bridges
Joseph V. Campbell
Mark R. Garrity

AZ Department of Public Safety
Mohave County Sheriff's Office
AZ Department of Public Safety
Paradise Valley Police Dept.

Russell J. Grover	Yuma County Sheriff's Office
Casey J. Knight	Yuma County Sheriff's Office
Mark O'Neill	AZ Department of Public Safety
Donald R. Porras	Paradise Valley Police Dept.
Emilio E. Rodriquez	Camp Verde Marshal's Office
Eric J. Sanborn	Paradise Valley Police Dept.
Ronald C. Stephens	AZ Department of Corrections

- b. Instructor Certification Renewals: LIST ATTACHED TO MINUTES
 - c. Training Program Confirmations: Agency requests were reviewed by staff and found to comply with Board guidelines. Programs were confirmed as requested. LIST ATTACHED TO MINUTES.
6. Decertification Case Status Report Update: As of December 31, 2003, the Compliance and Standards Unit has a case load of 96 active cases in various stages of the process. Ten cases are ready for initial presentation; 28 cases need further investigation; 11 cases are pending service of or response to a Notice of Complaint or Decision; 2 cases are pending hearing; 4 cases are ready for final action, and 41 cases are waiting for outside action, i.e., a criminal trial or civil service hearing.
7. Income and Expense Statement – January 2004

Funds as of November 1, 2003	\$ 965,646.76
CJEF Revenue	405,851.28
Expenditures/Encumbrances	(435,542.04)
Balance for November 30, 2003	935,956.00

D. REGULAR AGENDA

1. POST Mission and Vision Statements. During the strategic planning session held in October 2003, the Board discussed the current POST mission statement and considered a draft of an updated mission statement. The Board directed Executive Director Hammarstrom to solicit feedback from each Board member and to update the draft mission statement based upon that feedback. The Board also directed Mr. Hammarstrom to distribute a draft vision statement so that input could be provided by Board members. The mission/vision statements preferred by the majority of responding Board members are as follows:

POST Mission Statement

The mission of the Arizona Peace Officer Standards and Training Board is to foster public trust and confidence by establishing and maintaining standards of integrity, competence, and professionalism for Arizona peace officers and correctional officers.

POST Vision Statement

Our vision is to produce and maintain the most professional peace officers in America.

Chief Sheridan made a motion to adopt the AZ POST mission and vision statements as presented, seconded by Chief Vernier, motion carried unanimously.

2. IGA with Phoenix Police Department for Detective Dan Elting. During the last four months of 2003 the Arizona Regional Community Policing Institute (AZRCPI) has presented 26, eight-hour training programs on the topic of anti-terrorism. Detective Dan Elting of the Phoenix Police Department has been instrumental in the development, scheduling, and presentation of these programs. He was on loan to the AZRCPI for a period of five months at the expense of the Phoenix Police Department, and has now returned to his agency.

AZRCPI Executive Director Kush and AZ POST Executive Director Hammarstrom agree that losing the services of Detective Elting will seriously impair both the quality and availability of the program. AZRCPI Executive Director Kush has requested that AZ POST share in the cost of keeping Detective Elting at the RCPI as the anti-terrorism class coordinator. This request is for POST to provide funding for 50% of Detective Elting's salary, employee-related expenses and overtime, not to exceed \$40,000.00.

Ms. Flores made a motion that the Board, representing AZRCPI, enter into an intergovernmental agreement with the Phoenix Police Department for the services of Detective Dan Elting for a one year period, and that the Board share in the costs of this agreement in an amount not to exceed \$40,000.00, seconded by Ms. Reckart, motion carried unanimously.

E. LEGISLATIVE UPDATE

Mr. Lyle Mann reported that the Legislature is now in session and there is approximately 1,000 bills currently being distributed. The bills that are of concern to this Board are as follows:

Three years ago Central Arizona Water District was granted permission to appoint peace officers under some very finite circumstances. The "sunset" clause, which is five years, is coming up. They would like our support to remove the "sunset" clause. POST does not object to the removal of the clause.

There is a shooting range preservation bill that POST will be monitoring. Hopefully, we can have some grandfathering of our shooting range at ALEA, and other places around the state.

There is a bill to raise the salaries of some elected county officials. We will take the position, if asked, that certainly what they're being paid is less than what comparable municipal officers are being paid. We will watch this bill with interest.

There are several law officer association bills we are monitoring. However, we take no position at this time as they have nothing to do with certification. It only pertains to their employment.

There is a bill that would impact our federal monies for RCPI, etc., making all federal monies appropriated funds which creates some headaches for us in terms of manipulation and dealing with those funds, getting grants, etc. We do not know when grants are available. The bill is directed toward other departments who have federal funds that the Legislature believes are using in ways the Legislature may not approve of.

There is a DPS funding bill which is a vehicle tax on all sales of vehicles. That is how a legislator is proposing funding parity for DPS.

Through the Education Committee they've asked for a definition of school resource officer in statute. POST has taken the position that we do not think it is a good idea to signify a particular kind of officer in statute because it may start us down a path where there is a variety of officers in statute that this Board will then have to have separate training, requirements and standards, etc. POST has taken the position that this particular definition is not needed. This bill will be monitored closely.

F. SUMMARY OF CURRENT EVENTS

Executive Director Tom Hammarstrom reported that POST has advertised the position of AZ POST Program Administrator. This position will supervise the Compliance Specialists.

Also, Director Hammarstrom reported that POST has entered into an intergovernmental agreement with the Federal Law Enforcement Training Center (FLETC) Distributed Learning Program to conduct a one year pilot project which will enable POST to evaluate whether or not computer based training can be effective in meeting the in-service training needs of Arizona law enforcement agencies. The pilot will enable between 400 and 500 officers to have unlimited access to the FLETC course catalogue for a one year period. The catalogue contains hundreds of courses on a variety of topics and also contains over 90 law enforcement and security specific courses that will count towards an officer's POST in-service training requirement if satisfactorily completed. The hope is to learn whether this is a viable way to deliver in-service training in Arizona, and whether or not there is interest in this kind of training.

G. REPORTS

1. Basic Training

ALEA – Commander Eric Hailey reported that currently there are four classes in session with 121 recruits, representing 18 agencies. The class starting in February has 51 recruits, but it is anticipated that will drop to 46 recruits.

SALETC – Commander Bill Richards introduced Lieutenant Terry Parish, the new Basic Training Commander. Currently SALETC hopes to graduate 13 recruits on January 30th. A new class will start February 16th with approximately 59 reservations.

COTA – Commander John Hallahan reported they currently have six classes with 180 cadets. COTA has opened up their leadership training and professional development training to their county training partners. Pinal County has sent two of their supervisors through the training. In February, the Department of Juvenile Corrections will train in selected classes.

NARTA – Commander Scott Mascher reported that they currently have one class in session with 25 recruits. The December class graduated with 30 recruits. As a matter of interest, Sheriff Buchanan has stepped down from NARTA's Chair position with the User Committee. The Sheriff nominated Chief Dan Schatz with Prescott Valley Police Department, and he was accepted unanimously.

CARLOTA – Mr. Ed Cibbarelli reported that Sam Weiss could not attend the Board meeting. He does have an academy in session now with approximately 22 recruits. Another class will begin February 4th, with approximately 25 reservations. The last academy class graduated January 16th. The December graduating class coincided with CARLOTA's 30th anniversary. Mr. Cibbarelli thanked Chairman Garcia and Assistant Director Covey for attending the graduation.

2. Police Corps – Mr. Ed Cibbarelli reported that President Bush has recommended a \$30 million budget for Police Corps. It has gone to the House and is now in the Senate. It looks like the Senate is going to cut the budget by half, and provide the Police Corps program with only \$15 million. Police Corps has been assured that the program will continue at least for the next fiscal year. If the budget is cut, the result will be that all scholarships in the future will be cut in half. Instead of \$30,000, graduates will only receive \$15,000.

Police Corps has just awarded their first scholarship to Josh White, a junior from NAU. For this semester he will receive \$7,500 to pay for books and tuition, and as long as he continues with the program, he will receive \$7,500 his senior year. Upon completion of his Bachelor's Degree and graduation from the Academy, he will receive the final payment of \$15,000. When Mr. White graduates from Police Corps, he will go to work for Chief Dan Hughes of the Surprise Police Department.

3. Department of Corrections – Mr. Forry reported that Director Schriro would like to thank those agencies that are assisting us and those that have offered assistance as we negotiate the release of our two correction officers.
4. Arizona Regional Community Policing Institute – Executive Director Kush reported that during the last four months of 2003, the AZRCPI taught 26

anti-terrorism classes, training a total of 1,174 Arizona law enforcement officers. The AZRCPI has a total of 40 anti-terrorism classes scheduled for this year, and there will be more as the year progresses. In addition to the anti-terrorism classes, 11 ethics classes are scheduled throughout the year, as well as 11 domestic violence classes. The AZRCPI also facilitates Town Halls.

G. CASES: Consideration and possible action on the certified status of peace officers.

Case #1 – Ronald E. Carbajal – AZ Department of Transportation – MVD – The Board considered comments by Asst. A.G. Diana Stabler. Chief Sheridan made a motion to adopt the Findings of Fact and Conclusions of Law and revoke peace officer certification, seconded by Chief Hurtt, motion carried unanimously.

Case #2 – Jayne A. Clark – Phoenix Police Department – Chief Hurtt recused himself from participation and voting. Chief Vernier made a motion to adopt the Findings of Fact and Conclusions of Law and revoke peace officer certification, seconded by Mr. Forry, motion carried.

Case #3 – Salvador M. Flores – Pima County Sheriff's Department – The Board considered comments by Asst. A.G. Diana Stabler. Mr. Forry made a motion to adopt the Findings of Fact and Conclusions of Law, seconded by Chief Sheridan, motion carried unanimously. Mr. Forry made a motion to revoke peace officer certification, seconded by Sgt. Eisenga, motion carried unanimously.

Case #4 – Pablo O. Sanchez - Pima Community College Police Department – Chief Sheridan made a motion to adopt the Findings of Fact and Conclusions of Law and revoke peace officer certification, seconded by Chief Hurtt, motion carried unanimously.

Case #5 – Jefferson G. Taylor – Motion for Rehearing – The Board considered comments from Asst. A.G. Diana Stabler, Compliance Specialist Steve Jacobs, and Mr. Jefferson Taylor. Chief Vernier made a motion to deny the motion for rehearing, seconded by Sgt. Eisenga, motion carried unanimously.

I. CALL TO THE PUBLIC

None received.

J. ADJOURN

Chairman Garcia adjourned the meeting at 2:35 p.m.

Dated January 23, 2004

Lois Sherlock, Recording Secretary